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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

QUINCY DEMETRE HARRIS,
Plaintiff,

vs.

CITY AND COUNTY OF SAN FRANCISCO,
a governmental entity; HEATHER FONG, in her
capacity as Chief of Police for CITY AND
COUNTY OF SAN FRANCISCO; GARY J.
MORIYAMA, individually, and in his capacity as
a police officer for CITY AND COUNTY OF
SAN FRANCISCO; ERIC VALENTINI, individually,
and in his capacity as a police officer for CITY AND
COUNTY OF SAN FRANCISCO; FRANCISCO MEJIA;
and, DOES 1-25, inclusive,
Defendants.

No. C-06-07029-JL

**STIPULATION AND PROPOSED
ORDER FOR EXTENSION OF TIME TO
COMPLETE MEDIATION**

STIPULATION

All parties to this action stipulate and agree, by and through their respective counsel, as follows:

1. Counsel for plaintiffs and defendants have discussed with the Mediator, Hadden Roth, Esq., their need for further time to conduct discovery, and Mr. Roth agrees with the extension of time deadline proposed in the Stipulation. This extension of time for Mediation is needed so that all parties can engage in a productive Mediation hearing.

2. Prior to a meaningful Mediation, the parties need to conduct the following discovery:

Serve process on defendant security guard, FRANCISCO MEJIA, who is very difficult to locate (plaintiffs' private investigator has thus far been unable to locate Mr. Mejia); take the depositions of the parties; locate and take the depositions of witnesses (most importantly, the two people already arrested who were in the police van when plaintiff alleges he was assaulted and battered by defendant officer); receive important medical records and billing statements for plaintiff (which have been requested, but not yet received); and, defense counsel have just recently served Defendant's Responses to Plaintiffs' Special Interrogatories and Request for Production of Documents, however defense counsel has not yet prepared or served a Stipulated Protective Order, which would then cause defendants to serve these responsive confidential/privileged documents to plaintiff's counsel. Then, plaintiff's counsel will need to review this material and decide whether any further discovery is necessitated by information contained in those documents;

3. Mr. Burris is lead counsel and will attend the Mediation Conference. He and Ms. Libet have been swamped with work in a case with a lot of witnesses and discovery for the last five weeks, and during this month and July, will also have to conduct a great deal of discovery in several cases, including this case;

4. Mr. Burris will be on vacation from June 24th through July 7th 2007, and during the first week of August 2007; and,

1 5. Accordingly, the parties, by and through their respective counsel, hereby stipulate and
2 jointly request that the deadline for the occurrence of the Mediation hearing in this case be
3 extended from July 11, 2007 to September 30, 2007, or as soon thereafter as the Court deems
4 appropriate.

5 LAW OFFICES OF GAYLA B. LIBET

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7 Dated: June 15, 2007

8 By: /s/ Gayla B. Libet
9 GAYLA B. LIBET, Esq.
Attorneys for Plaintiff

10 LAW OFFICES OF JOHN L. BURRIS

11
12 Dated: June 15, 2007

13 By: /s/ John L. Burris
14 JOHN L. BURRIS, Esq.
Attorneys for Plaintiff

15
16 OFFICE OF THE SAN FRANCISCO
17 CITY ATTORNEY

18
19 Dated: June 14, 2007

20 By: /s/ Sean F. Connolly
21 SEAN F. CONNOLLY, Esq.
Attorneys for Defendants

22
23 ORDER

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25
26 Dated: June 25, 2007

27
28 HONORABLE
United States District Judge

